

**REMARKS**

Claims 1-22 are pending in the above application.

The Office Action dated September 6, 2007, has been received and carefully reviewed. Each issue raised in that Office Action is addressed below, and reconsideration and allowance of claims 1-22 is respectfully requested in view of the following remarks.

**CLAIM OBJECTION**

Claim 14 is objected to because the Office Action does not understand how two layers can be “on” another layer and have an interval therebetween. It is respectfully submitted that the language of claim 14 describes, without limitation, a structure such as is illustrated in Figure 22(a). In that figure, several first light guide layers 101 are mounted on a second light guide layer 103 such that two surfaces of an adjacent pair of the first light guide layers have an interval therebetween. These surfaces are not numbered, but light source 106 can be seen in the interval between such opposed surfaces. The opposed surfaces are represented by the vertical lines on the left and right sides of each light source 106. It is believed that claim 14 clearly defines an aspect of the present invention, and with withdrawal of the objection to claim 14 is respectfully requested.

**REJECTIONS UNDER 35 U.S.C. 102(b)**

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Winston. Claim 1 recites a light guide plate including, *inter alia*, a first light guide layer having first and second ends, a scattering light guide layer, and reflection means at the second end of the first light guide layer. Winston discloses a wedge-shaped element 12 which is referred to as a first light guide layer in the Office Action and a second light guide layer that includes at least element 28. It is respectfully submitted, however, that Winston does not disclose “reflection means” as recited in claim 1, and that the Office Action has not performed the analysis required by MPEP 2181-2183 to show that the claimed reflection means is present in the reference.

As provided in MPEP 2182: “The first step in construing a means-plus-function claim limitation is to define the particular function of the claim limitation. ... The next step in

construing a means-plus-function claim limitation is to look to the specification and identify the corresponding structure for that function.” Section 2183 of the MPEP then provides that if “the examiner finds that a prior art element (A) performs the function specified in the claim, (B) is not excluded by any explicit definition provided in the specification for an equivalent, and (C) is an equivalent of the means- (or step-) plus-function limitation, the examiner should provide an explanation and rationale in the Office action as to why the prior art element is an equivalent.” The analysis required by the MPEP has not been provided in connection with claim 1, and a *prima facie* case of obviousness has therefore not been presented in connection with claim 1. The thin edge of wedge 12 in Winston does not appear to perform the same function as the reflection means of claim 1 and nothing in the record suggests that these elements are equivalent. For at least these reasons, claim 1 is submitted to be allowable over Winston.

Claims 2-20 depend from claim 1 and are submitted to be allowable for at least the same reasons as claim 1.

#### REJECTIONS UNDER 35 U.S.C. 103(a)

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winston in view of Mochizuki. Claim 2 depends from claim 1. Mochizuki does not address the shortcomings of Winston discussed above in connection with claim 1. Claim 2 is therefore submitted to be allowable for at least the same reasons as claim 1.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winston in view of Mochizuki. Claim 12 depends from claim 1. Mochizuki does not address the shortcomings of Winston discussed above in connection with claim 1. Claim 12 is therefore submitted to be allowable for at least the same reasons as claim 1. Claim 13 depends from claim 12 and is submitted to be allowable for at least the same reasons as claims 1 and 12.

Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winston in view of Van Hees. Claim 16 depends from claim 1. Van Hees does not address the shortcomings of Winston discussed above in connection with claim 1. Claim 16 is therefore submitted to be allowable for at least the same reasons as claim 1. Claim 17 depends from claim 16 and is submitted to be allowable for at least the same reasons as claims 1 and 16.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winston in view of Van Hees. Claim 19 depends from claim 1. Van Hees does not address the shortcomings of Winston discussed above in connection with claim 1. Claim 19 is therefore submitted to be allowable for at least the same reasons as claim 1.

Claim 19 further distinguishes over the art of record by reciting that the first light guide layer includes a second side parallel to the first side. Winston discloses a wedge shaped first light guide element 12. Van Hees shows a light guide member 5 having the shape of a rectangular prism. The Office Action asserts that it would have been obvious to make sides 14 and 16 of wedge shaped element 12 of Winston parallel; thus modified, element 12 would no longer be wedge shaped but would have the shape of a rectangular prism.

Winston provides that a reason for using a wedge-shaped member 12 is to cause "the angle of incidence for each cyclic time of reflection from the top surface 14 to decrease by the angle of inclination  $2\phi$ ..." (Column 6, lines 30-32). Making edges 14 and 16 parallel as suggested by the Office Action would prevent the angles of incidence from changing and would change the principle of operation of Winston. As provided by MPEP 2143.01, it is not obvious to modify a reference in a manner that changes its principle of operation. Claim 19 is submitted to be allowable over the art of record for this reason as well.

Furthermore, it is respectfully submitted that the reason provided for modifying Winston has nothing to do with the modification being proposed. The examiner is asserting that some advantage will be obtained by making converging sides 14 and 16 of Winston parallel. The language quoted in the Office Action from column 5, lines 1-29 of Van Hees addresses the benefits of mixing colors from two different LED's. Nothing about this statement suggests an advantage of parallel light guides sides or in any manner suggests changing from converging to parallel sides of a light guide. A proper reason for modifying Winston has therefore not been provided, and for this reason as well, a *prima facie* case of obviousness has not been presented.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winston in view of Van Hees. Claim 20 depends from claim 1. Van Hees does not address the shortcomings of Winston discussed above in connection with claim 1, and claim 20 is therefore submitted to be allowable for at least the same reasons as claim 1.

Claim 20 further distinguishes over the art of record by reciting reflection means obliquely angled with respect to a first surface through which light from a light source enters a first light guide layer. As discussed above in connection with claim 1, the Office Action has not provided the required analysis to show that any element of Winston or Van Hees satisfies the “reflection means” limitation of claim 1; therefore a reflection means angled obliquely with respect to a given surface also has not been shown. Moreover, the Office Action has not shown “the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter” MPEP 706.02(j). In other words, the Office Action does not explain how Winston is to be modified based on Van Hees. Finally, the same “reason” for modifying Winston is given in connection with the rejections of claims 19 and 20. The discussion of light mixing does not constitute a reason to provide an obliquely angled reflection means any more than it constitutes a reason to provide a light guide with two parallel sides. The modification to Winston being proposed has not been identified, a reason for making any modification to Winston has not been identified, and a *prima facie* case of obviousness has not been presented. Claim 20 is submitted to be allowable for at least this reason.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winston in view of Van Hees. Claim 21 recites a light guide plate including, *inter alia*, a first light guide layer having first and second ends, the first end including a first surface through which light enters the light guide and the second end including a second, reflecting surface obliquely angled with respect to the first surface. It is noted that claim 21 recites a reflecting surface and not “reflecting means” as stated in the Office Action.

The rejection of claim 21 fails to state what change to Winston is being proposed as required by MPEP 706.02(j). The Office Action fails to provide a proper reason for making any change to Winston. For at least these reasons, a *prima facie* case of obviousness has not been presented in connection with claim 21, and claim 21 is submitted to be allowable.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winston in view of Van Hees. Claim 22 depends from claim 21. Claim 22 is submitted to be allowable for at least the same reasons as claim 21 and for the reasons presented above in connection with claim 19.

CONCLUSION

Each issue raised in the Office Action dated September 6, 2007, has been addressed, and it is believed that claims 1-22 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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